

Serial No.: 10/090,335

Attorney Docket No.: 20496/370

REMARKS

Entry of this Amendment After Final Rejection is respectfully requested. This Amendment does not raise any new issues or require any new searching by the Examiner. Furthermore, it is believed that upon entry of this Amendment, the application will be in condition for allowance. Accordingly, entry of this Amendment and reconsideration in light thereof are respectfully requested.

In this Final Office Action, the Examiner rejected claims 9, 12-13, and 16 under 35 U.S.C. 102(b) as being anticipated by Dienes Werke "Hochste Qualitat und Prazision."

Applicants respectfully traverse this rejection. The presently claimed invention is directed to a lower blade shaft for a roller cutting machine in which the lower blade shaft is used for a razor blade cutting method and for a shear cutting method, and in which the lower blades are designed to have dual cutting edges comprising keyways with angles which allow shear cutting, and in which the keyways have a spacing width of 0.8 to 2 mm.

Accordingly, claim 9 claims:

"...a lower blade shaft... with at least one lower blade...comprising...
...the lower blades are designed to have a keyway division, wherein...the dual cutting edge comprising cutting angles and the keyways have a width of 0.8 to 2 mm so that the lower blade shaft is usable for a razor blade cutting method and for a shear cutting method."

The brochure "Hochste Qualitat und Prazision," discloses two different types of cutting bushings for a lower blade shaft of a roller cutting machine, in which the lower blades are

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arranged in regular intervals on the lower blade shaft. In this Final Office Action, the Examiner referred to the drawing on page 7 which shows a cutting bushing with numerous cutting blades having keyways with a width of 3 mm for a shear cutting method, and comprising cutting angles at the cutting edges (see "Einzelheit X" and "Einzelheit Y"). However, a keyway with a width of 3 mm is too broad to allow a razor blade cutting and a shear cutting with the same cutting bushing on a lower blade shaft as claimed in claim 9. Thus, the figure on page 7 does not anticipate claim 9.

The drawing on page 10 discloses a cutting bushing with numerous cutting blades comprising keyways of a width of 1 mm which can be used for a razor blade cutting method. However, this cutting bushing does not comprise cutting angles at the cutting edges, which are necessary to allow shear cutting as claimed in claim 9. Accordingly, since the cutting bushing shown on the drawing on page 10 cannot be used for a shear cutting method, the cited prior art does not disclose all features of claim 9, which claims keyways with a width of 0.8 to 2 mm to allow razor blade cutting method as well as shear cutting method within the same lower blade shaft. Therefore, since the cited prior art does not disclose all the features of claim 9 which is not anticipated by the cited prior art, the withdrawal of the rejection of the claims under 35 U.S.C. 102((b) is respectfully requested.

In the Final Office Action, the Examiner rejected claims 9, 12-13, and 16 under 35 U.S.C. 103(a) as being unpatentable over Wehde (US Patent 4,211,135, hereinafter US '135) in view of GB 2307878 hereinafter GB '878. Applicants respectfully traverse this rejection. For the reasons set forth above, it is believed that the claims are not rendered obvious by the prior art

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of record. MPEP 706.02(j) states that in order for the claims of the instant application to be obvious in light of the teachings of the cited reference,

“...First, there must be some suggestion or motivation, either in the reference itself, or in the knowledge generally available to one of ordinary skill in the art, to modify the reference....

....Second, there must be some reasonable expectation of success.

....Finally, the prior art reference must teach or suggest all the claimed limitations.”

US ‘135 discloses a cutting bushing for a shear cutting method comprising lower blades with minimum spacing of 3 to 5 mm (column 2, line 19 to 31 and column 2 line 40 to 57.) GB ‘878 discloses a lower blade shaft with keyways having a width of 2 to 3 mm (see page 3, line 21 to 23). However, GB ‘878 does not disclose or suggest cutting angles at the cutting edges. In addition, GB ‘878 teaches a thin metal layer constituted essentially of aluminum, which is a suggestion to a skilled artisan that the lower blade shaft is merely usable for razor blade cutting method, since the thin metal layer constituting the keyway and the tongue is too soft to build-up cutting edges usable for shear cutting method (see page 4, line 6 to 9). Thus, since GB ‘878 discloses a lower blade shaft usable only for a razor blade cutting method, one of ordinary skill in the art to which the invention pertains would never combine the teaching of US ‘135 with the teaching of GB ‘878 because US ‘135 discards the razor blade cutting method of GB 878 for providing worse shear quality compared to a shear cutting method (see column 2, line 32 to 40). Accordingly, the combination of the cited prior art is not the presently claimed invention, but corresponds only to two separated alternatives, the first one being a lower blade shaft for a shear cutting method comprising cutting edges with cutting angles and keyways with a width of 3 to 5

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mm at minimum, and the other being a lower blade shaft for a razor blade cutting method which does not comprise cutting angles at the cutting edges. Accordingly, the cited prior art, alone or in combination, does not disclose or suggest the teaching of claims 9, 12-13, and 16 which are not rendered obvious by the cited prior art. Thus, the Applicants respectfully request the withdrawal of rejection under 35 U.S.C. 103(a).

In view of the foregoing, it is believed that the present application is in condition for allowance and a favorable action on the merits is respectfully requested.

Respectfully submitted,

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